



In Reply To:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Montana State Office
5001 Southgate Drive, P.O. Box 36800
Billings, Montana 59107-6800
<http://www.mt.blm.gov/>



MTM 93103

Notice of Competitive Lease Sale Oil and Gas

March 30, 2004

The Montana State Office is holding a competitive oral sale of Federal lands in the States of Montana and North Dakota for oil and gas leasing. We are attaching a list that includes the parcel numbers, legal land descriptions and corresponding stipulations. The list is available on the Internet at:
<http://www.mt.blm.gov/oilgas>.

When and where will the sale take place?

- When:** The competitive sale begins at 9:00 a.m. on Tuesday, March 30, 2004. The sale room opens at 8:00 a.m. for registration and assignment of bidder numbers.
- Where:** We will hold the sale at the Bureau of Land Management, Montana State Office, 5001 Southgate Drive, Billings, Montana. Parking is available.
- Access:** The sale room is accessible to persons with disabilities. If you need a sign language interpreter or materials in an alternate format, please tell us no later than one week before the sale. You may contact Elaine Kaufman at (406) 896-5108 or Joan Seibert at (406) 896-5093.

How do I register as a bidder?

Before the sale starts, you must complete a bidder registration form to obtain a bidding number. The forms are available at the registration desk.

What is the sale process?

Starting at 9:00 a.m. on the day of the sale:

- the auctioneer offers the parcels in the order they are shown on the attached list;
- registered bidders make oral bids on a per-acre basis for all acres in a parcel;
- the winning bid is the highest oral bid equal to or exceeding the minimum \$2.00 bid;
- the decision of the auctioneer is final; and
- names of high bidders (lessees) remain confidential until the results list is available.

If a parcel contains fractional acreage, round it up to the next whole acre. For example, a parcel of 100.48 acres requires a minimum bid of \$202 (101 acres x \$2).

If the United States owns less than 100 percent of the oil and gas rights in a parcel, we will issue the lease for the percentage of interest the United States owns. You must calculate your bid and advance rental payment on the gross acreage in the parcel. For example, if the U.S. owns 50 percent of the oil and gas in a 100.48 acre parcel, the minimum bid is \$202 (101 acres x \$2) and the advance rental due is \$151.50 (101 acres x \$1.50).

What conditions apply to the lease sale?

- **Parcel withdrawal or sale cancellation:** We reserve the right to withdraw any or all parcels before the sale begins. If we withdraw parcels or cancel a sale, we will post a notice in our Public Records and Information Center and announce the withdrawn parcels at the sale.
- **Lease terms:** Leases issue for a primary term of 10 years. They continue beyond the primary term as long as the lease is producing in paying quantities or receiving production from another source. Rental is \$1.50 per acre for the first 5 years (\$2 per acre after that) until production begins. Once a lease is producing, we charge a royalty of 12.5 percent on the production removed or sold from the lease. You will find other lease terms on our standard lease form (Form 3100-11, June 1988 or later edition).
- **Stipulations:** Some parcels are subject to surface use restrictions or conditions affecting how you conduct operations on the lands. The stipulations become part of the lease and replace any inconsistent provisions of the lease form.
- **Bid form:** On the day of the sale, successful bidders must submit a properly completed lease bid form (Form 3000-2, October 1989 or later edition) along with their payment. The bid form is a legally binding offer to accept a lease and all its terms and conditions. When the prospective lessee or an authorized representative signs the bid form, they certify the lessee meets the conditions of 43 CFR 3102.5-2 and complies with 18 U.S.C. 1860, a law that prohibits unlawful combinations, intimidation of bidders, and collusion among bidders. You cannot withdraw your bid.
- **Payment:**
 - **minimum due by 4:00 p.m. on day of sale:**
 - Bonus bid deposit of \$2.00 per acre or fraction thereof;
 - First year's rent of \$1.50 per acre or fraction thereof except for future interest parcels; and
 - \$75 nonrefundable administrative fee
 - **remaining balance due by 4:00 p.m. April 13, 2004**
 - If you don't pay in full by this date, you lose the right to the lease and all the money you paid the day of the sale. We may offer the parcel in a future sale.
- **Method of payment:** You can pay by:
 - personal check;
 - certified check;
 - money order; or
 - credit card (Visa, Mastercard, American Express or Discover).

Make checks payable to: **Department of the Interior-BLM.** We do not accept cash. If you previously paid us with a check backed by insufficient funds, we will require a guaranteed payment, such as a certified check.

- **Lease issuance:** After we receive the bid forms and all monies due, we can issue the lease. The lease effective date is the first day of the month following the month we sign it. We can make the lease effective the first day of the month in which we sign it, if you ask us in writing before we sign the lease.

How can I find out the results of this sale?

We post the sale results in our Public Records and Information Center and the Internet at: <http://www.mt.blm.gov/oilgas>. You can buy a \$5/\$10 printed copy of the results list from the Public Records and Information Center.

How do I file a noncompetitive offer after the sale?

Lands that do not receive a bid and are not subject to a pre-sale offer are available for a two-year period beginning the day after the sale. To file a noncompetitive offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

Place offers filed on the day of the sale and the first business day after the sale in the drop box in the Public Records and Information Center. We consider these offers simultaneously filed. When a parcel receives more than one filing by 4 p.m. on the day after the sale, we will hold a drawing to determine the winner. Offers filed after this time period, receive priority according to the date and time of filing in this office.

How do I file a noncompetitive pre-sale offer?

Under our regulations at 43 CFR 3110.1(a), you may file a noncompetitive pre-sale offer for lands that:

- are available; and
- have not been under lease during the previous one-year period; or
- have not been in a competitive lease sale within the previous two-year period.

Once we post a competitive sale notice, you cannot file a pre-sale offer for lands shown on the notice.

To file a pre-sale offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

If we don't receive a bid at the sale for the parcel(s) contained in your pre-sale offer, we will issue the lease. You can withdraw your offer prior to the date we sign your lease. Your pre-sale offer is your consent to the terms and conditions of the lease, including any additional stipulations advertised in the Competitive Sale Notice.

Where can I obtain information pertaining to the individual Forest Service Stipulations?

The applicable Forest Service Environmental Impact Studies (EIS) describe stipulations for parcels located within the administrative boundary of the Forest Service units. The Geographic Information System (GIS) maps of the stipulations may be viewed at the following Forest Service offices:

- The individual District Ranger's Office identified in the stipulation listing included with this sale notice,

- or
- The individual Forest Supervisor's Office identified in the stipulation listing included with this sale notice,
- or
- Forest Service, Region One Office, 200 East Broadway, Missoula, Montana

How do I nominate lands for future sales?

- file a letter with this office describing the lands you want put up for sale;
- file a pre-sale offer

Who should I contact if I have a question?

For more information, contact Tessie Vaughn at (406) 896-5091.

When is the next competitive oil and gas lease sale scheduled in Montana?

We are tentatively holding our next competitive sale on May 25, 2004.

Karen L. Johnson, Chief
Fluids Adjudication Section

OFFICIAL POSTING DATE MUST BE ON OR BEFORE FEBRUARY 13, 2004

The official posting date will be noted on the copy posted in the Information Access Center of the Bureau of Land Management, Billings, Montana.

PUBLIC NOTICE

Any noncompetitive offers received for lands that are listed on the Notice from the time the list is officially posted in the Montana State Office Public Room until the first business day following the completion of the sale will be rejected as unavailable for filing per 43 CFR 3110.1(a)(ii).

THE FOLLOWING NOTICE WILL BE ATTACHED TO ALL ISSUED LEASES

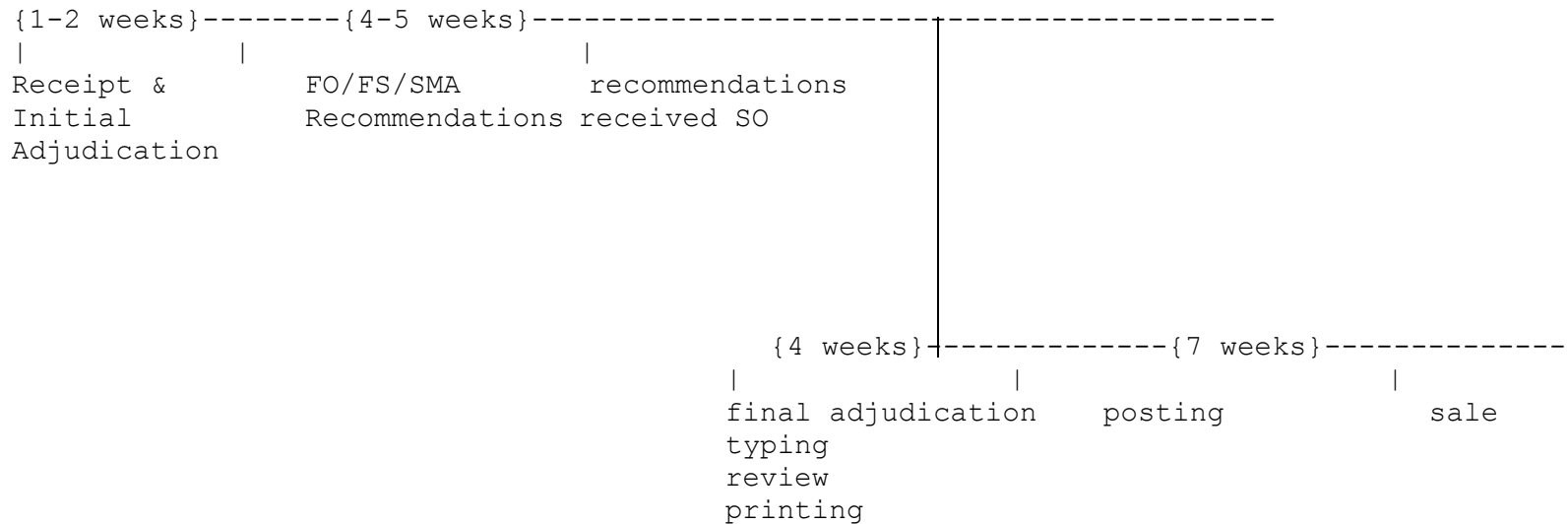
NOTICE TO LESSEE

Provisions of the Mineral Leasing Act (MLA) of 1920, as amended by the Federal Coal Leasing Amendments Act of 1976, affect an entity's qualifications to obtain an oil and gas lease. Section 2(a)(2)(A) of the MLA, 30 U.S.C. 201(a)(2)(A), requires that any entity that holds and has held a Federal coal lease for 10 years beginning on or after August 4, 1976, and who is not producing coal in commercial quantities from each such lease, cannot qualify for the issuance of any other lease granted under the MLA. Compliance by coal lessees with Section 2(a)(2)(A) is explained in 43 CFR 3472.

In accordance with the terms of this oil and gas lease with respect to compliance by the initial lessee with qualifications concerning Federal coal lease holdings, all assignees and transferees are hereby notified that this oil and gas lease is subject to cancellation if: (1) the initial lessee as assignor or as transferor has falsely certified compliance with Section 2(a)(2)(A) or (2) because of a denial or disapproval by a State Office of a pending coal action, i.e., arms-length assignment, relinquishment, or logical mining unit, the initial lessee as assignor or as transferor is no longer in compliance with Section 2(a)(2)(A). The assignee or transferee does not qualify as a bona fide purchaser and, thus, has no rights to bona fide purchaser protection in the event of cancellation of this lease due to noncompliance with Section 2(a)(2)(A).

Information regarding assignor or transferor compliance with Section 2(a)(2)(A) is contained in the lease case file as well as in other Bureau of Land Management records available through the State Office issuing this lease.

**TIMELINE TO PROCESS EXPRESSIONS OF INTEREST (EOI)
OR PRESALE OFFERS**



**Total time required to process EOI/Offer
4-5 months {16-18 weeks}**

SMA-Surface Management Agency
 ie: Forest Service, Bureau of Reclamation
 FO-BLM Field Office FS-BLM Field Office
 SO-Mon

ALL LANDS ARE LISTED IN TOWNSHIP AND RANGE ORDER

MONTANA

<p>03-04-01 PD T. 36 N, R. 4 E, PMM, MT sec. 17 W2SW; Liberty 80.00 AC Stipulations: Standard, TES</p>	<p>03-04-04 PD T. 25 N, R. 17 E, PMM, MT sec. 21 LOT 1; 21 NWNE, S2NE, NW, S2; 29 ALL; 32 N2, N2S2, SESE; 33 ALL; Chouteau 2439.95 AC Stipulations: Lease Notice-1, Standard, TES</p>
<p>03-04-02 PD T. 37 N, R. 14 E, PMM, MT sec. 6 LOTS 7-11 INCL; 6 SESW, SWSE; 19 LOTS 1, 2, 3, 4; 19 E2W2; 30 LOTS 1, 2, 3, 4; 30 E2W2; 32 E2NW; Hill 928.75 AC Stipulations: Standard, TES</p>	<p>03-04-05 PD T. 26 N, R. 19 E, PMM, MT sec. 12 SESW, S2SE; 24 NW; Blaine 280.00 AC Stipulations: Standard, TES</p>
<p>03-04-03 PD T. 24 N, R. 17 E, PMM, MT sec. 11 LOT 1; 11 N2SE, SESE; 12 LOTS 1, 2; 12 NWSW, S2SW, NESE; 13 NWNE, S2NE, N2NW, SENW, NESW, N2SE; 14 NENE; 24 E2, SENW; 25 N2NE, SENE, S2; 36 N2NE, SWNE, NW, S2SW, SESE; Blaine 2029.80 AC Stipulations: Lease Notice-1, Standard, TES</p>	<p>03-04-06 PD Presale Offer: MTM 93026 T. 13 N, R. 20 E, PMM, MT sec. 14 SWNW, N2SW; Fergus 120.00 AC Stipulations: Standard, TES</p>
	<p>03-04-07 PD T. 34 N, R. 20 E, PMM, MT sec. 13 SESE; 28 SENE; 33 N2SE; 34 SENW, SESW, NESE, S2SE; Blaine 360.00 AC Stipulations: Lease Notice-1, Standard, TES</p>

EXPLANATION 1/, 2/, 3/, SEE PAGE 7

03-04-08 ACQ

T. 34 N, R. 20 E, PMM, MT
sec. 21 SESE;
22 N2;
24 S2SW;
25 N2, SE;
26 E2NE;
27 NENW, W2W2;
28 NENE, NESE;
32 ALL;

Blaine 1920.00 AC
Stipulations: Lease Notice-1,
Standard, TES

03-04-09 PD

T. 33 N, R. 22 E, PMM, MT
sec. 26 LOTS 1, 2, 3, 4, 6, 7, 8;
26 N2NE, SWNE, SW;
27 S2;

Blaine 884.97 AC
Stipulations: Lease Notice-1,
Standard, TES

03-04-10 ACQ

T. 36 N, R. 32 E, PMM, MT
sec. 1 LOTS 3, 4;
1 SW;
2 LOTS 1, 2, 3, 4;
2 S2;
3 LOTS 1, 3, 4;
3 S2;
4 LOTS 1, 2;

Phillips 1336.42 AC
Stipulations: Standard, TES

03-04-11 PD

T. 24 N, R. 53 E, PMM, MT
sec. 30 LOTS 3, 4;
30 E2SW, SE;

Richland 304.98 AC
Stipulation: TES

03-04-12 PD

T. 22 N, R. 58 E, PMM, MT
sec. 14 N2NE, SWNE;

Richland 120.00 AC
Stipulation: TES

03-04-13 PD

T. 2 S, R. 16 E, PMM, MT
sec. 31 LOT 4;
31 SESE;
32 S2SW;
33 SWNE, NESE;

Sweet Grass 236.12 AC
Stipulations: CSU-1,
Lease Notice-2, TES

03-04-14 PD

T. 9 S, R. 20 E, PMM, MT
sec. 32 ALL;
33 ALL;
34 ALL;

Carbon 217.00 AC
Stipulations: R1-FS-2820-13c, 18,
NSO-3, 4, 5, 6, Timing-1

NORTH DAKOTA

03-04-15 ACQ

T. 160 N, R. 94 W, 5TH PM, ND
sec. 22 S2SE;
26 NW;
27 N2NE;

Burke 320.00 AC
50% U.S. MINERAL INTEREST 1/
Stipulations: CSU-2, NSO-1,
Standard, TES, Timing-2

03-04-16 ACQ

T. 161 N, R. 94 W, 5TH PM, ND
sec. 26 SW;

Burke 160.00 AC
50% U.S. MINERAL INTEREST 1/
Stipulations: CSU-2, NSO-1,
Standard, TES, Timing-2

03-04-17 ACQ

T. 162 N, R. 94 W, 5TH PM, ND
sec. 30 LOTS 1,2;
30 E2NW;

Burke 155.70 AC

50% U.S. MINERAL INTEREST 1/

Stipulations: CSU-2, NSO-1,
Standard, TES, Timing-2

03-04-18 PD

T. 148 N, R. 96 W, 5TH PM, ND
sec. 2 SENE,SWNW,NWSW,NESE;
3 SENE,E2SE;
10 E2NE,N2SW,NESE;
11 N2;

Dunn 800.00 AC

Stipulations: CSU-2, NSO-2,
Standard, TES, Timing-3,4,5

03-04-19 ACQ

T. 149 N, R. 96 W, 5TH PM, ND
sec. 19 LOTS 1,2,3,4;
19 E2,E2W2;
20 N2;
21 N2,NESW,S2SW,SE;
30 LOT 1;
30 NE,NENW;
31 LOTS 6,7 EXCL 18.06 AC
IN RR R/W;

McKenzie 1842.20 AC
Stipulations: R1-FS-2820-13d, 18a,
CSU-3,4, NSO-7,8,9,10, Timing-6

03-04-20 PD

T. 149 N, R. 96 W, 5TH PM, ND
sec. 21 NWSW;
22 W2SW;
27 N2NE;
28 NWNE,S2NE,NW,N2SE,SESE;

McKenzie 600.00 AC

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,4, NSO-7,9,10, Timing-6

03-04-21 ACQ

T. 149 N, R. 96 W, 5TH PM, ND
sec. 22 W2NE,NW,E2SW,SE;
26 SW;
27 NW;
34 SENE,NESE;
35 W2NW;

McKenzie 960.00 AC

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,4, NSO-7,9,10

03-04-22 PD

T. 149 N, R. 96 W, 5TH PM, ND
sec. 23 E2,S2NW;
24 E2NE,S2NW,W2SW,N2SE;

McKenzie 720.00 AC

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,4, NSO-7,9,10

03-04-23 ACQ

T. 149 N, R. 96 W, 5TH PM, ND
sec. 23 SW;
29 NWNW;

McKenzie 200.00 AC

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,4, NSO-7,9,10,11, Timing-6

03-04-24 PD

T. 149 N, R. 96 W, 5TH PM, ND
sec. 26 N2;
34 SWNE,S2NW,SW,W2SE,SESE;
35 E2,E2NW,SW;

McKenzie 1280.00 AC

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,4, NSO-7,9,10

03-04-25 PD

T. 149 N, R. 96 W, 5TH PM, ND
sec. 27 S2NE,N2S2;

McKenzie 240.00 AC

Stipulations: BLM TES,
R1-FS-2820-CSU-3,5, NSO-7,9

SPLIT ESTATE 2/

03-04-26 PD
T. 149 N, R. 96 W, 5TH PM, ND
sec. 29 NE, SWSW;
30 LOTS 2, 3, 4;
30 SENW, E2SW, SE;
31 LOTS 1, 2;
32 NE, E2NW;
McKenzie 920.09 AC
Stipulations: R1-FS-2820-13d, 18a,
CSU-3, 6, NSO-7, 8, 9, 11, Timing-6

03-04-27 PD
T. 149 N, R. 96 W, 5TH PM, ND
sec. 31 LOTS 3, 4, 5;
31 NESW;
McKenzie 97.24 AC
Stipulations: R1-FS-2820-13d, 18a,
CSU-3, 4, 6, NSO-11, 12, Timing-6

03-04-28 PD
T. 149 N, R. 96 W, 5TH PM, ND
sec. 31 LOTS 8, 9, 10, 11;
32 LOT 1;
32 N2N2, NESW;
33 NENE, S2NE, E2NW, S2;
McKenzie 863.22 AC
Stipulations: R1-FS-2820-13d, 18a,
CSU-3, 4, 6, NSO-7, 9, 11, 12, Timing-6

03-04-29 ACQ
T. 157 N, R. 96 W, 5TH PM, ND
sec. 11 E2SE;
12 W2SW;
13 SE;
14 N2NE;
Williams 400.00 AC
50% U.S. MINERAL INTEREST 1/
Stipulations: CSU-2, NSO-1,
Standard, TES, Timing-2

03-04-30 ACQ
T. 158 N, R. 96 W, 5TH PM, ND
sec. 5 SW EXCL 2.025 AC
IN SESW;
6 SE;
26 SWSE;
31 NE;
35 NWNE, S2NE, NW;
Williams 797.975 AC
50% U.S. MINERAL INTEREST 1/
Stipulations: CSU-2, NSO-1,
Standard, TES, Timing-2

03-04-31 ACQ
T. 159 N, R. 96 W, 5TH PM, ND
sec. 33 SW;
34 E2SW, W2SE;
Williams 320.00 AC
50% U.S. MINERAL INTEREST 1/
Stipulations: CSU-2, NSO-1,
Standard, TES, Timing-2

03-04-32 PD
T. 150 N, R. 97 W, 5TH PM, ND
sec. 2 SESE;
McKenzie 40.00 AC
Stipulations: Standard, TES

03-04-33 ACQ
T. 144 N, R. 101 W, 5TH PM, ND
sec. 1 LOTS 1, 2, 3, 4;
1 S2N2, S2;
12 S2NW;
14 ALL;
Billings 1409.44 AC
Stipulations: R1-FS-2820-13d, 18a,
22b, CSU-3, 4, 6, NSO-7, 8, 13, 14,
Timing-6

03-04-34 ACQ

T. 144 N, R. 101 W, 5TH PM, ND
sec. 4 LOT 4;
4 SWNW;

Billings 95.45 AC

78.63% (150/190.76) U.S. MINERAL

INTEREST 1/

Stipulations: R1-FS-2820-13d, 18a,
22b, CSU-3,4, NSO-13

03-04-35 ACQ

T. 144 N, R. 101 W, 5TH PM, ND
sec. 4 S2SE;

Billings 80.00 AC

50% U.S. MINERAL INTEREST 1/

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,6, NSO-8,11

03-04-36 ACQ

T. 144 N, R. 101 W, 5TH PM, ND
sec. 12 N2S2,SWSE;

Billings 200.00 AC

Stipulations: R1-FS-2820-13d, 18a,
22c, CSU-4, NSO-7,13, Timing-6

03-04-37 ACQ

T. 144 N, R. 101 W, 5TH PM, ND
sec. 13 ALL;

Billings 640.00 AC

Stipulations: R1-FS-2820-13d, 18a,
22c, CSU-3,4, NSO-7,13, Timing-6

03-04-38 PD

T. 144 N, R. 101 W, 5th PM, ND
sec. 18 LOT 4;
30 LOT 2;

Billings 69.16 AC

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,6,7, NSO-7,8, Timing-7

03-04-39 ACQ

T. 144 N, R. 101 W, 5TH PM, ND
sec. 22 NWSE,S2SE;

27 E2;

30 LOT 1;

30 NE,NENW,NESW,NWSE;

Billings 754.62 AC

Stipulations: BLM TES,
R1-FS-2820-13d, 18a, CSU-3,5,6,7,
NSO-7,8, Timing-7

SPLIT ESTATE 2/

03-04-40 ACQ

T. 144 N, R. 101 W, 5TH PM, ND
sec. 23 N2NW,SENW;

Billings 120.00 AC

Stipulations: R1-FS-2820-13d, 18a,
22b, CSU-4,6, NSO-7,13

03-04-41 PD

T. 146 N, R. 101 W, 5TH PM, ND
sec. 4 LOTS 1,2;
4 SENE,NESE;

McKenzie 152.84 AC

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,6,7, NSO-7,8, Timing-7

03-04-42 ACQ

T. 146 N, R. 101 W, 5TH PM, ND
sec. 6 LOTS 5,6;

6 SENE,NESE;

7 LOTS 1,2,3,4;

7 E2,E2W2;

McKenzie 798.56 AC

Stipulations: R1-FS-2820-13d, 18a,
CSU-3,4,6,7, NSO-7,11,12,
Timing-6,7

03-04-43 PD
T. 139 N, R. 102 W, 5TH PM, ND
sec. 4 BED OF LITTLE MISSOURI
RIVER RIPAR TO LOTS 8,9
DESC BY M&B 3/;
4 LOTS 2,3,4,8,9;
4 S2NW,SW;

Billings 432.25 AC
Stipulations: BLM TES,
R1-FS-2820-CSU-3,4,5,6,
NSO-7,9,12, Timing-8

SPLIT ESTATE 2/

03-04-44 PD
T. 139 N, R. 102 W, 5TH PM, ND
sec. 16 BED OF LITTLE MISSOURI
RIVER RIPAR TO
LOTS 1,2,3,4 DESC
BY M&B 3/;

Billings 20.72 AC
Stipulations: BLM TES,
R1-FS-2820-CSU-5, NSO-12

SPLIT ESTATE 2/

03-04-45 ACQ
T. 149 N, R. 103 W, 5TH PM, ND
sec. 1 LOTS 3,4;
1 S2NW,SW,SWSE;
2 LOTS 1,2;
2 S2NE,S2;
11 ALL;
12 N2,SW,W2SE;

McKenzie 2040.40 AC
Stipulations: R1-FS-2820-13d, 18a,
22b, CSU-8, NSO-7,11,15,
Timing-6,9

03-04-46 ACQ
T. 149 N, R. 103 W, 5TH PM, ND
sec. 3 LOTS 1,2,3,4;
3 S2N2,S2;
10 ALL;

McKenzie 1279.68 AC
Stipulations: R1-FS-2820-13d, 18a,
22b, CSU-3,8, NSO-7,8,15,
Timing-6,9

03-04-47 ACQ
T. 149 N, R. 103 W, 5TH PM, ND
sec. 17 E2NE,S2NW;
McKenzie 160.00 AC
Stipulations: R1-FS-2820-13d, 18a,
22c, CSU-8, NSO-7, Timing-9

03-04-48 ACQ
T. 149 N, R. 103 W, 5TH PM, ND
sec. 25 NW,S2;
35 N2,N2SW,SWSW,SE;
McKenzie 1080.00 AC
Stipulations: R1-FS-2820-13d, 18a,
22b, CSU-3,8, NSO-8,11,16,
Timing-6,9

03-04-49 PD
T. 149 N, R. 103 W, 5TH PM, ND
sec. 35 SESW;
McKenzie 40.00 AC
Stipulations: R1-FS-2820-13d, 18a,
22b, NSO-8,11,16, Timing-6,9

STATISTICS

Total Parcels:	49
Total Acreage:	31,347.535
No. of Parcel with Presale Offer:	1
Parcel Number:	03-04-06
Total Acres with Presale Offer	120.00

FOOTNOTES

- 1**/ These parcels have fractional interests. Rentals are payable on total acres; royalties are payable on fractional interest.

- 2** All or part of the lands are split estate with title to the mineral estate held by the United States. Due to this status, the mineral estate is administered by the Bureau of Land Management (BLM). Permits and approvals will be issued by the authorized BLM Officer. A notice will be attached at lease issuance. This notice will include legal descriptions and information for filing APDs.

- 3** The exact metes and bounds description will be made a part of any lease issued for these lands.

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-13	T 2 S, R. 16 E, PMM sec. 32: S2SW 33: SWNE, NESE

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU-1

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use would be subject to the following special constraint: No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-15	T 160 N, R 94 W, 5 th PM sec. 22: S2SE 27: N2NE
03-14-16	T 161 N, R 94 W, 5 th PM sec. 26: SW
03-04-17	T 162 N, R 94 W, 5 th PM sec. 30: Lots 1, 2 30: E2NW
03-04-18	T 148 N, R 96 W, 5 th PM sec. 2: SENE, SWNW, NWSW, NESE 3: SENE, E2SE 10: E2NE, N2SW, NESE 11: N2
03-04-29	T 157 N, R 96 W, 5 th PM sec. 11: SESE 12: SWSW 13: W2SE 14: NWNE
03-04-30	T 158 N, R 96 W, 5 th PM sec. 5: W2SW 6: E2SE 31: NE
03-04-31	T 159 N, R 96 W, 5 th PM sec. 33: NWSW, SESW 34: E2SW, W2SE

For the purpose of:

Protection of riparian habitat (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU-2

LEASE NOTICE

This parcel contains crucial winter habitat for big game. The following surface use or occupancy exclusion provision of the "Standard" stipulation applies to most, or potentially all of the lands in the lease parcel to mitigate impacts to crucial winter ranges.

Crucial Wildlife winter ranges during the period from December 1 to May 15, and in elk calving areas, during the period from May 1 to June 30.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-03	T. 24 N, R. 17 E, PMM sec. 11 LOT 1; 11 N2SE, SESE; 12 LOTS 1, 2; 12 NWSW, S2SW, NESE; 13 NWNE, S2NE, N2NW, SENW, NESW, N2SE; 14 NENE; 24 E2, SENW; 25 N2NE, SENE, S2; 36 N2NE, SWNE, NW, S2SW, SESE
03-04-04	T. 25 N, R. 17 E, PMM sec. 21 LOT 1; 21 NWNE, S2NE, NW, S2; 29 ALL; 32 N2, N2S2, SESE; 33 ALL;
03-04-07	T. 34 N, R. 20 E, PMM sec. 13: SESE 28: SENE 33: N2SE 34: SENW, SESW, NESE, S2SE
3-04-08	T. 34 N, R. 20 E, PMM sec. 21 SESE; 22 N2; 24 S2SW; 25 N2, SE; 26 E2NE; 27 NENW, W2W2; 28 NENE, NESE; 32 ALL;
03-04-09	T. 33 N, R. 22 E, PMM sec. 26: Lots 1, 2, 3, 4, 6, 7, 8 26: N2NE, SWNE, SW 27: S2

Lease Notice-1

LEASE NOTICE

The Surface Management Agency is responsible for assuring that the lease lands are examined to determine if cultural resources are present and to specify mitigation measures.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-13	T. 2 S., R. 16 E, PMM sec. 31: Lot 4 31: SESE 32: S2SW 33: SWNE, NESE

Guidance for application of this requirement can be found in NTL-MSO-1-85.

Lease Notice-2

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy (NSO) or use would be allowed within 200 feet of wetlands, lakes, and ponds on the lands described below (legal subdivision or other description).

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-15	T 160 N, R 94 W, 5 th PM sec. 22: S2SE 27: N2NE
03-04-16	T 161 N, R 94 W, 5 th PM sec. 26: SW
03-04-17	T 162 N, R 94 W, 5 th PM sec. 30: Lot 1 30: E2NW
03-04-29	T 157 N, R 96 W, 5 th PM sec. 11: SESE 12: SWSW 13: W2SE 14: NWNE
03-04-30	T 158 N, R 96 W, 5 th PM sec. 5: NWSW
03-04-31	T 159 N, R 96 W, 5 th PM sec. 34: E2SW, W2SE

For the purpose of:

Protection of wetlands (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO-1

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy (NSO) or use would be allowed within one-half mile of prairie falcon nests known to be occupied at least once within the seven previous years on the lands described below (legal subdivision or other description).

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-18	T 148 N, R 96 W, 5 th PM sec. 2: SENE, SWNW, NWSW, NESE 3: SENE, E2SE 11: N2NE, NENW

For the purpose of:

Protection of prairie falcon nesting (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO-2

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
P. O. Box 36800
Billings, Montana 59107

OIL AND GAS LEASE STIPULATIONS

ESTHETICS--To maintain esthetic values, all surface-disturbing activities, semipermanent and permanent facilities may require special design including location, painting and camouflage to blend with the natural surroundings and meet the intent of the visual quality objectives of the Federal Surface Managing Agency (SMA).

EROSION CONTROL--Surface-disturbing activities may be prohibited during muddy and/or wet soil periods.

CONTROLLED OR LIMITED SURFACE USE STIPULATION --This stipulation may be modified, consistent with land use documents, when specifically approved in writing by the Bureau of Land Management (BLM) with concurrence of the SMA. Distances and/or time periods may be made less restrictive depending on the actual onground conditions. The prospective lessee should contact the SMA for more specific locations and information regarding the restrictive nature of this stipulation.

The lessee/operator is given notice that the lands within this lease may include special areas and that such areas may contain special values, may be needed for special purposes, or may require special attention to prevent damage to surface and/or other resources. Possible special areas are identified below. Any surface use or occupancy within such special areas will be strictly controlled, or **if absolutely necessary**, excluded. Use or occupancy will be restricted only when the BLM and/or the SMA demonstrates the restriction necessary for the protection of such special areas and existing or planned uses. Appropriate modifications to imposed restrictions will be made for the maintenance and operations of producing oil and gas wells.

After the SMA has been advised of specific proposed surface use or occupancy on the leased lands, and on request of the lessee/operator, the Agency will furnish further data on any special areas which may include:

100 feet from the edge of the rights-of-way from highways, designated county roads and appropriate federally-owned or controlled roads and recreation trails.

500 feet, or when necessary, within the 25-year flood plain from reservoirs, lakes, and ponds and intermittent, ephemeral or small perennial streams: 1,000 feet, or when necessary, within the 100-year flood plain from larger perennial streams, rivers, and domestic water supplies.

500 feet from grouse strutting grounds. Special care to avoid nesting areas associated with strutting grounds will be necessary during the period from March 1, to June 30. One-fourth mile from identified essential habitat of state and federal sensitive species. Crucial wildlife winter ranges during the period from December 1 to May 15, and in elk calving areas during the period from May 1 to June 30.

300 feet from occupied buildings, developed recreational areas, undeveloped recreational areas receiving concentrated public use and sites eligible for or designated as National Register sites.

Seasonal road closures, roads for special uses, specified roads during heavy traffic periods and on areas having restrictive off-road vehicle designations.

On slopes over 30 percent or 20 percent on extremely erodable or slumping soils.

Standard(May 2001)

See Notice on Back

Parcels 03-04-01 thru 03-04-10

NOTICE

APPLICATIONS FOR PERMIT TO DRILL (APDs)--The appropriate BLM field offices are responsible for the receipt, processing, and approval of APDs. The APDs are to be submitted by oil and gas operators pursuant to the requirements found in Onshore Oil and Gas Order No. 1 -- Approval of Operations on Onshore Federal and Indian Oil and Gas Leases (Circular No. 2538). Additional requirements for the conduct of oil and gas operations can be found in the Code of Federal Regulations Title 43, Part 3160. Copies of Onshore Oil and Gas Order No. 1, and pertinent regulations, can be obtained from the BLM field offices in which the operations are proposed. Early coordination with these offices on proposals is encouraged.

CULTURAL AND PALEONTOLOGICAL RESOURCES--The SMA is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the SMA, shall:

1. Contact the appropriate SMA to determine if a site-specific cultural resource inventory is required. If an inventory is required, then:
2. Engage the services of a cultural resource specialist acceptable to the SMA to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the SMA for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease-related activities or other protective measures such as testing salvage and recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited.

The operator shall immediately bring to the attention of the SMA any cultural or paleontological resources discovered as a result of approved operations under this lease, and not disturb such discoveries until directed to proceed by the SMA.

ENDANGERED OR THREATENED SPECIES--The SMA is responsible for assuring that the leased land is examined prior to undertaking any surface-disturbing activities to determine effects upon any plant or animal species, listed or proposed for listing as endangered or threatened, or their habitats. The findings of this examination may result in some restrictions to the operator's plans or even disallow use and occupancy that would be in violation of the Endangered Species Act of 1973 by detrimentally affecting endangered or threatened species or their habitats.

The lessee/operator may, unless notified by the authorized officer of the SMA that the examination is not necessary, conduct the examination on the leased lands at his discretion and cost. This examination must be done by or under the supervision of a qualified resources specialist approved by the SMA. An acceptable report must be provided to the SMA identifying the anticipated effects of a proposed action on endangered or threatened species or their habitats.

Endangered Species Act Section 7 Consultation Stipulation

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

Parcels 03-04-01 thru 03-04-13
 03-04-15 thru 03-04-18
 03-04-25
 03-04-29 thru 03-04-32
 03-04-39
 03-04-43 thru 03-04-44

TES

TIMING LIMITATION STIPULATION

Surface occupancy or use would be subject to the following special operating constraint: No seismic exploration would be allowed within 500 feet of waterfowl nesting habitat during the following time period(s):

Between March 1 and July 1

This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-15	T. 160 N, R. 94 W, 5 th PM sec. 22: S2SE 27: N2NE
03-04-16	T. 161 N, R. 94 W, 5 th PM sec. 26: SW
03-04-17	T. 162 N, R. 94 W, 5 th PM sec. 30: Lot 1 30: E2NW
03-04-29	T 157 N, R 96 W, 5 th PM sec. 11: SESE 12: SWSW 13: W2SE 14: NWNE
03-04-30	T 158 N, R 96 W, 5 th PM sec. 5: NWSW
03-04-31	T 159 N, R 96 W, 5 th PM sec. 34: E2SW, W2SE

For the purpose of:

Protection of nesting waterfowl (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Timing-2

TIMING LIMITATION STIPULATION

No surface use (NSU) would be allowed within one-half mile of occupied prairie falcon nests during the following time period:

March 15 to July 15

This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-18	T. 148 N, R. 96 W, 5 th PM sec. 2: SENE, SWNW, NWSW, NESE 3: SENE, E2SE 11: N2NE, NENW

For the purpose of:

Protection of prairie falcon nesting (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Timing-3

TIMING LIMITATION STIPULATION

No surface use (NSU) would be allowed on elk winter range during the following time period:

November 30 to May 1

This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-18	T. 148 N, R. 96 W, 5 th PM sec. 2: SENE, SWNW, NWSW, NESE 3: SENE, E2SE 10: E2NE, N2SW, NESE 11: N2

For the purpose of:

Protection of wintering elk (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Timing-4

TIMING LIMITATION STIPULATION

No surface use (NSU) would be allowed for elk calving during the following time period:

June 1 to July 1

This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

PARCEL NO.

LAND DESCRIPTIONS

03-04-18

T. 148 N, R. 96 W, 5th PM
sec. 2: SENE, SWNW, NWSW, NESE
3: SENE, E2SE
10: E2NE, N2SW, NESE
11: N2

For the purpose of:

Protection of elk calving (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Timing-5

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

Forest Service, Custer National Forest
1310 Main Street
Billings, MT 9501

who is the authorized representative of the Secretary of Agriculture.

CULTURAL AND PALEONTOLOGICAL RESOURCES - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site-specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface-disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and the BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and the BLM any cultural or paleontological resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the FS and the BLM.

FLOODPLAIN AND WETLANDS - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystem, will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

USDA-Forest Service

R1-FS-2820-13c (10/92)

03-04-14

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, McKenzie Ranger District
Dakota Prairie Grasslands
1901 South Main Street
Watford City, ND 58854

who is the authorized representative of the Secretary of Agriculture.

CULTURAL RESOURCES - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease,

and shall leave such discoveries intact until directed to proceed by FS and BLM.

Vertebrate Paleontology Notice - The FS is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the Forest Service, shall:

1. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
2. Implement mitigation measures required by the Forest Service and Bureau of land management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
3. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

FLOODPLAIN AND WETLANDS - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

USDA - Forest Service

R1-FS-2820-13d (McKenzie)

Parcels 03-04-19 thru 03-04-24
03-04-26 thru 03-04-29

03-04-41, 03-04-42
03-04-45 thru 03-04-49

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, Medora Ranger District
Dakota Prairie Grasslands
161 21st Street West
Dickinson, ND 58601-3135

who is the authorized representative of the Secretary of Agriculture.

CULTURAL RESOURCES - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease,

and shall leave such discoveries intact until directed to proceed by FS and BLM.

Vertebrate Paleontology Notice - The FS is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the Forest Service, shall:

4. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
5. Implement mitigation measures required by the Forest Service and Bureau of land management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
6. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

FLOODPLAIN AND WETLANDS - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

USDA - Forest Service

R1-FS-2820-13d (Medora)

Parcels 03-04-34 thru 03-04-40

USDA-FOREST SERVICE

**THREATENED, ENDANGERED, AND SENSITIVE
PLANT OR ANIMAL SPECIES LEASE NOTICE**

The lease area may contain threatened and endangered species or habitat necessary for the continued existence of threatened, proposed and endangered species which are protected by the 1973 Endangered Species Act, as amended (50 CFR 402). The lease area may also contain habitat or species, listed as sensitive, which may require protective measures to prevent them from being listed as threatened or endangered or result in a loss of viability or biological diversity (36 CFR 219.19 or 219.26). A biological evaluation of the leased lands may be required prior to surface-disturbance to determine if threatened, endangered, or sensitive plant or animal species or their habitat are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:

1. Contact the Forest Service to determine if a biological evaluation is required (FSM 2670.31-32). The Forest Service is responsible for ensuring that the leased land is examined through a biological evaluation, prior to undertaking any surface-disturbing activities, to determine effects upon any plant or animal species listed or proposed for listing as threatened, endangered, or sensitive.
2. The lessee or operator may choose to conduct the evaluation on the leased lands at their discretion and cost. This biological evaluation must be done by or under the supervision of a qualified biologist/botanist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of a proposed action on threatened, endangered, or sensitive species. An acceptable biological evaluation is to be submitted to the Forest Service for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the Forest Service. Mitigation may include the relocation of proposed lease-related activities or other protective measures. The findings of the biological evaluation may result in some restrictions to the operator's plans or even disallow use and occupancy to comply with the 1973 Endangered Species Act (as amended), threatened and endangered regulations and Forest Service regulations.

If threatened, endangered, or sensitive plant or animal species are discovered in the area after any required biological evaluation has concluded, an evaluation will be conducted to assess the effect of ongoing and proposed activities. Based on the conclusion drawn in the evaluation, additional restrictions or prohibitions may be imposed to protect the species or their habitats.

USDA - FOREST SERVICE

**THREATENED, ENDANGERED, AND SENSITIVE
PLANT OR ANIMAL SPECIES LEASE NOTICE**

The lease area may contain threatened and endangered species or habitat necessary for the continued existence of threatened, proposed, candidate or endangered species which are protected by the 1973 Endangered Species Act, as amended (16 USC 1531 et seq.) and implementing regulations (50 CFR 402 et seq.). The lease area may also contain habitat or species, which may require protective measures to prevent them from being listed as threatened or endangered; or result in a loss of viability or biological diversity (36 CFR 219.19 or 219.26). A biological evaluation of the leased lands may be required prior to surface disturbance to determine if endangered, threatened, proposed, candidate or sensitive plant or animal species or their habitat are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:

1. Contact the Forest Service to determine if a biological evaluation is required. The Forest Service is responsible for ensuring that the leased land is examined through a biological evaluation, prior to undertaking any surface-disturbing activities, to determine effects upon any plant or animal species listed or proposed for listing as threatened, endangered, or a sensitive species.
2. The lessee or operator may choose to conduct the evaluation on the leased lands at their discretion and cost. This biological evaluation must be done by or under the supervision of a qualified biologist/botanist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of a proposed action on endangered, threatened, proposed, candidate or sensitive species. An acceptable biological evaluation is to be submitted to the Forest Service for review and approval no later than that time when an otherwise complete application for permit to drill or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the Forest Service. Mitigation may include the relocation of proposed lease-related activities or other protective measures. The findings of the biological evaluation, analysis and consultation may result in restrictions to the operator's plans or even disallow use and occupancy to comply with the 1973 Endangered Species Act (as amended), threatened and endangered species regulations and Forest Service statutes and regulations.

If endangered, threatened, proposed, candidate or sensitive plant or animal species are discovered in the area after any required biological evaluation has concluded, an evaluation will be conducted to assess the effect of ongoing and proposed activities. Based on the conclusion drawn in the evaluation, additional restrictions or prohibitions may be imposed to protect the species or their habitats.

USDA - Forest Service

R1-FS-2820-18a (5/02)

**Parcels 03-04-19 thru 03-04-24
03-04-26 thru 03-04-28**

**03-04-33 thru 03-04-42
03-04-45 thru 03-04-49**

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Try to locate activities and facilities away from the water's edge and outside the riparian areas, woody draws, wetlands, and floodplains. If necessary to locate facilities in these areas, then:

- Deposit no waste material (silt, sand, gravel, soil, slash, debris, chemical or other material) below high water lines, in riparian areas, in the areas immediately adjacent to riparian areas or in natural drainage ways (draws, land surface depressions or other areas where overland flow concentrates and flows directly into streams or lakes).
- Deposit no soil material in natural drainage ways.
- Locate the lower edge of disturbed or deposited soil banks outside the active floodplain.
- Stockpile no topsoil or any other disturbed soil in the active floodplain.
- Locate drilling mud pits outside riparian areas, wetlands and floodplains. If location is unavoidable in these areas, seal and dike all pits to prevent leakage or use containerized mud systems.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-19	T 149 N, R 96 W, 5 th PM sec. 19: portions of Lots 1-4, E2, E2W2 20: Portions of N2 21: Portions of N2, SWSW, N2SE, SESE 30: Portions of Lot 1, NE, NENW 31: Portions of Lot 7
03-04-20	T 149 N, R 96 W, 5 th PM sec. 21: Portions of NWSW 22: Portions of W2SW 27: Portions of NENE 28: Portions of NWNE, S2NE, NW, N2SE, SESE

PARCEL NO.**LAND DESCRIPTIONS**

03-04-21	T 149 N, R 96 W, 5 th PM sec. 22: Portions of W2NE, NW, E2SW, SE 26: Portions of SW 27: Portions of NW 34: Portions of SENE, NESE 35: Portions of W2NW
03-04-22	T 149 N, R 96 W, 5 th PM sec. 23: Portions of E2, S2NW 24: Portions of E2NE, S2NW, W2SW, N2SE
03-04-23	T 149 N, R 96 W, 5 th PM sec. 23: Portions of SW 29: Portions of NWNW
03-04-24	T 149 N, R 96 W, 5 th PM sec. 26: Portions of N2 34: Portions of SWNE, S2NW, SW, W2SE, SESE 35: Portions of S2NE, E2NW, S2
03-04-25	T 149 N, R 96 W, 5 th PM sec. 27: Portions of S2NE, N2S2
03-04-26	T 149 N, R 96 W, 5 th PM sec. 29: Portions of NE, SWSW 30: Portions of Lots 3, 4, SENE, E2SW, SE 31: Portions of NE, NENW
03-04-27	T 149 N, R. 96 W, 5 th PM sec. 31: Portions of Lots 3, 4, 5, NESW
03-04-28	T 149 N, R 96 W, 5 th PM sec. 31: Portions of Lots 8-11 32: Portions of Lot 1, N2N2, NESW 33: Portions of NENE, S2NE, E2NW, S2

PARCEL NO.**LAND DESCRIPTIONS**

03-04-33	T 144 N, R 101 W, 5 th PM sec. 1: Portions of Lots 1-4, S2N2, S2SE, SESW 12: Portions of SWNW 14: Portions of NW, NESW, NWSE
03-04-34	T 144 N, R 101 W, 5 th PM sec. 4: Portions of Lot 4
03-04-35	T 144 N, R 101 W, 5 th PM sec. 4: Portions of S2SE
03-04-37	T 144 N, R 101 W, 5 TH PM sec. 13: Portions of E2NE, N2NW
03-04-38	T 144 N, R 101 W, 5 TH PM sec. 18: Portions of Lot 4 30: Portions of Lot 2
03-04-39	T 144 N, R 101 W, 5 th PM sec. 22: Portions of NWSE, S2SE 27: Portions of W2NE, SENE, N2SE 30: Portions of Lot 1, NWNE, S2NE, NENW, NESW, NWSE
03-04-41	T 146 N, R 101 W, 5 th PM sec. 4: Portions of Lots 1, 2, SENE
03-04-42	T 146 N, R 101 W, 5 th PM sec. 6: Portions of Lots 5, 6, SENE, NESE 7: Portions of Lots 1, 2, 3, 4, E2, E2W2
03-04-43	T 139 N, R 102 W, 5 th PM sec. 4: Portions of Lots 2, 3 4, 8, 9 S2NW, SW
03-04-46	T 149 N, R 103 W, 5 th PM sec. 3: Portions of Lots 2, 3, SWNE, NWSE

PARCEL NO.

LAND DESCRIPTIONS

03-04-48

T 149 N, R 103 W, 5th PM
sec. 25: portions of SWNW, SESE
35: portions of S2NE, N2NW,
W2SW, N2SE

For the purpose of:

To protect the biological and hydrologic features of riparian areas, woody draws, wetlands, and floodplains. Refer to the Land and Resource Management Plan Grassland-wide Direction, Water, number 6 and Appendix D-2

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Surface occupancy and use is subject to operational constraints to maintain a landscape character intact. Deviations may be present but must repeat the form, line, color, texture, and pattern common to the landscape character so completely and to such scale that they are not evident.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they may not be evident, or placing facilities outside the high SIO area.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-19	T 149 N, R 96 W, 5 th PM sec. 21: E2NE; portions of W2NE, N2SE, SESE 31: portions of Lots 6, 7
03-04-20	T 149 N, R 96 W, 5 th PM sec. 22: W2SW 27: N2NE
03-04-21	T 149 N, R 96 W, 5 th PM sec. 22: W2NE, NW, E2SW, SE 26: SW 27: NW
03-04-22	T 149 N, R 96 W, 5 th PM sec. 23: E2, S2NW 24: S2NW, W2SW, N2SE
03-04-23	T 149 N, R 96 W, 5 th PM sec. 23: SW
03-04-24	T 149 N, R 96 W, 5 th PM sec. 26: N2

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-27	T 149 N, R 96 W, 5 th PM sec. 31: Lots 3,4,5,; portions of NESW
03-04-28	T 149 N, R 96 W, 5 th PM sec. 31: Lot 8-11 32: Portions of Lot 1, NESW
03-04-33	T 144 N, R 101 W, 5 th PM sec. 1: Lots 1-4, S2N2, S2 12: S2NW 14: N2, N2S2, SESW, S2SE; portions of SWSW
03-04-34	T 144 N, R 101 W, 5 th PM sec. 4: Lot 4, SWNW
03-04-36	T 144 N, R 101 W, 5 th PM sec. 12: N2S2, SWSE
03-04-37	T 144 N, R 101 W, 5 TH PM sec. 13: All
03-04-40	T 144 N, R 101 W, 5 th PM sec. 23: Portions of N2NW, SENW
03-04-42	T 146 N, R 101 W, 5 th PM sec. 7: Portions of Lots 2,3,4
03-04-43	T 139 N, R 102 W, 5 th PM sec. 4: Lot 8; portions of Lots 2, 9, SENW, E2SW

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) for areas identified as **high**. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified by the contrary by the BLM, shall:

1. Contact the BLM to determine if a site-specific vertebrate paleontological inventory is required. If it is required, the operator must engage the services of a qualified paleontologist, acceptable to the BLM, to conduct the inventory. An acceptable inventory report is to be submitted to the BLM for review and approval at the time a surface-disturbing plan of operation is submitted.

2. Implement mitigation measures required by the BLM to preserve, avoid, or recover vertebrate paleontological resources. Mitigation may include relocation of proposed facilities or other protective measures. All costs associated with the inventory and mitigation will be borne by the lessee or operator.

3. The lessee or operator shall immediately bring to the attention of the BLM any vertebrate paleontological resources discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the BLM.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-25	T 149 N, R 96 W, 5 th PM sec. 27: S2NE, N2S2
03-04-39	T 144 N, R 101 W, 5 th PM sec. 27: SE
03-04-43	T 139 N, R 102 W, 5 th PM sec. 4: Lots 3, 4, S2NW, SW
03-04-44	T 139 N, R 102 W, 5 th PM sec. 16: The bed of the river ripar to Lots 1-4

For the purpose of:

To protect key paleontological resources from disturbance, or mitigate the effects of disturbance to conserve scientific and interpretive values, and the interests of the surface owner.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Surface occupancy and use is subject to operational constraints to maintain a landscape character that is no more than slightly altered. Noticeable deviations must remain visually subordinate to the landscape character being viewed.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they are visually subordinate to the landscape, or placing facilities outside the moderate SIO area.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-26	T 149 N, R 96 W, 5 th PM sec. 29: Portions of SWSW 30: Lot 4, SESW, SWSE; portions of Lot 3, NESW, N2SE, SESE 31: Lot 1, N2NE, E2NW; portions of Lot 2, S2NE
03-04-27	T 149 N, R 96 W, 5 th PM sec. 31: Portions of NESW
03-04-28	T 149 N, R 96 W, 5 th PM sec. 32: NWNW, Portions of Lot 1, NENW, NESW 33: SW, SWSE; portions of SWNE, SENW, N2SE, SESE
03-04-33	T 144 N, R 101 W, 5 th PM sec. 14: Portions of SWSW
03-04-35	T 144 N, R 101 W, 5 th PM sec. 4: S2SE
03-04-38	T 144 N, R 101 W, 5 th PM sec. 18: Lot 4 30: Lot 2

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PARCEL NO.

LAND DESCRIPTIONS

03-04-39	T 144 N, R 101 W, 5 th PM sec. 22: NWSE, S2SE 27: E2 30: Lot 1, NE, NENW, NESW, NWSE
03-04-40	T 144 N, R 101 W, 5 th PM sec. 23: Portions of N2NW, SENW
03-04-41	T 146 N, R 101 W, 5 th PM sec. 4: Portions of Lots 1, 2
03-04-42	T 146 N, R 101 W, 5 th PM sec. 6: Lots 5, 6 7: Lot 1, E2W2; portions of Lots 2, 3, 4, NENE, W2NE, SE
03-04-43	T 139 N, R 102 W, 5 th PM sec. 4: Lot 4, SWNW, W2SW; portions of Lots 2, 3, 9, SENW, E2SW

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) for areas identified as **moderate**. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

- Operations may be modified or moved to minimize additional impacts on bighorn sheep habitat.
- Future roads to non-producing wells on private minerals under NFS lands would be obliterated and the disturbed areas reclaimed.
- Road construction and associated lease activities will be located to minimize loss of bighorn sheep habitat.
- Well locations will be located to avoid lambing areas, steep slopes (escape terrain) and known travel corridors.
- Whenever possible, access roads will be gated to prevent unnecessary human activity.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-38	T 144 N, R 101 W, 5 th PM sec. 18: Lot 4 30: Lot 2
03-04-39	T 144 N, R 101 W, 5 TH PM sec. 30: Lot 1, NE, NENW, NESW, NWSE
03-04-41	T 146 N, R 101 W, 5 th PM sec. 4: Lots 1, 2, SENE, NESE
03-04-42	T 146 N, R 101 W, 5 th PM sec. 6: Lots 5, 6, SENE, NESE 7: Lot 1, NE, E2W2, N2SE, SWSE; portions of Lots 2, 3, 4, SESE

For the purpose of:

To provide quality forage, cover, escape terrain, and solitude for bighorn sheep. Refer to the Land and Resource Management Plan, Management MA 3.51B, Bighorn Sheep Habitat with Non-Federal Ownership, Standards and Guidelines, Minerals and Energy Resources, number 1, and Appendix D-22 and Addendum, p. 51

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Operations in prairie dog colonies known or thought to be occupied by black-footed ferrets are subject to the following constraints:

Limit oil and gas development to no more than one location per 160 acres aliquot parts of a section.

Access for routine maintenance of oil and gas facilities in prairie dog colonies is limited to daylight hours. This does not apply to emergency repairs.

If it's necessary to place a new road in a prairie dog colony, align the road to minimize habitat loss.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-45	T 149 N, R 103 W, 5 th PM sec. 1: Lots 3, 4, S2NW, SW, SWSE 2: Lots 1, 2, S2NE, S2 11: All 12: N2, SW, W2SE
03-04-46	T 149 N, R 103 W, 5 th PM sec. 3: Lots 1-4, S2N2, S2 10: All
03-04-47	T 149 N, R 103 W, 5 th PM sec. 17: E2NE, S2NW
03-04-48	T 149 N, R 103 W, 5 th PM sec. 25: NW, S2 35: E2NE, NESE; portions of W2NE, NENW, NWSE, SESE

For the purpose of:

To protect against activities that will adversely impact black-footed ferret reintroduction objectives. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife and Rare Plants, numbers 25, 26 and 27, and Management Area Direction, MA 3.63, Black-footed Ferret Reintroduction Habitat, Standards and Guidelines, Minerals and Energy Resources, numbers 4, and Appendix D-23.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description). Roads, powerlines and pipelines, as well as the well pad and any ancillary structures, may not be constructed by the lessee on that portion of the lease covered by this stipulation.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-14	T. 9 S, R. 20 E, PMM sec. 32: Portions of W2, W2E2 34: Portions of All

For the purpose of:

To maintain and protect visual quality in important viewing areas. To prevent large landscape disturbances from road or well pad building on slopes over 40 percent which are highly visible and difficult or nearly impossible to mitigate. (Custer Forest Plan; Beartooth Mountains Oil and Gas Leasing EIS, Appendix E - p. 27, Glossary, p. 8-a definition of NSO/Alternative 4A).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-NSO-3

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description). Roads, powerlines and pipelines, as well as the well pad and any ancillary structures, may not be constructed by the lessee on that portion of the lease covered by this stipulation.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-14	T. 9 S, R. 20 E, PMM sec. 32: Portions of W2

For the purpose of:

To maintain soil productivity, provide necessary protection to high hazard and fragile soils, to prevent reclamation problems (especially alpine environments), avoid slopes over 40 percent, and areas subject to high wind and water erosion, and high hazard or mass failure (Forest Plan p. 46, 47, 51, 55 and 59; Beartooth Mountains Oil and Gas Leasing EIS, Appendix E - p. 10, Glossary, p. 8 - a definition of NSO/Alternative 4A).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-NSO-4

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description). Roads, powerlines and pipelines, as well as the well pad and any ancillary structures, may not be constructed by the lessee on that portion of the lease covered by this stipulation.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-14	T. 9 S, R. 20 E, PMM sec. 32: Portions of W2E2, E2W2 33: Portions of W2E2

For the purpose of:

To protect the unique biological and hydrological features associated with riparian areas, and water bodies and streams. To prevent deterioration of these critical areas and loss of total acreage of riparian habitat that is recognized as one of the most used and diverse habitat in the areas (Custer Forest Plan, Beartooth Mountains Oil and Gas Leasing EIS, Appendix E - p. 25, Glossary, p. 8-a definition of NSO/Alternative 4A).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-NSO-5

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description). Roads, powerlines and pipelines, as well as the well pad and any ancillary structures, may not be constructed by the lessee on that portion of the lease covered by this stipulation.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-14	T. 9 S, R. 20 E, PMM sec. 33: E2; Portions of E2W2 34: Portions of All

For the purpose of:

To protect those cultural properties and associated setting identified for conservation use or sociocultural use. To prevent activities that would affect the site itself, cultural properties or the setting that is important to the site. (Custer Forest Plan; Beartooth Mountains Oil and Gas Leasing EIS, Appendix E - p. 35 Glossary, p. 8 - a definition of NSO/Alternative 4A).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-NSO-6

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description)

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-19	T.149 N, R. 96 W, 5 th PM sec. 19: Portions of lots 1-4, E2, E2W2 20: Portions of N2 21: Portions of NE, W2NW, NESW, S2SW, SE 30: Portions of Lot 1, NENE, S2NE, NENW
03-04-20	T 149 N, R 96 W, 5 th PM sec. 21: Portions of NWSW 22: Portions of W2SW 27: Portions of N2NE 28: Portions of NWNE, S2NE, NW, N2SE, SESE
03-04-21	T 149 N, R 96 W, 5 th PM sec. 22: Portions of W2NE, NW, E2SW, SE 26: Portions of SW 27: Portions of NW 34: Portions of SENE, NESE 35: Portions of W2NW
03-04-22	T 149 N, R 96 W, 5 th PM sec. 23: Portions of E2, S2NW 24: Portions of E2NE, S2NW, W2SW, N2SE
03-04-23	T 149 N, R 96 W, 5 th PM sec. 23: Portions of SW 29: Portions of NWNW
03-04-24	T 149 N, R 96 W, 5 th PM sec. 26: Portions of N2 34: Portions of SWNE, S2NW, SW, W2SE, SESE 35: Portions of E2, E2NW, SW

PARCEL NO.**LAND DESCRIPTIONS**

03-04-25	T 149 N, R 96 W, 5 th PM sec. 27: Portions of S2NE, N2S2
03-04-26	T 149 N, R 96 W, 5 th PM sec. 29: Portions of NE, SWSW 30: Portions of Lots 2, 3, 4, SENW, E2SW, SE 31: Portions of Lot 1, NE, NENW
03-04-28	T 149 N, R 96 W, 5 th PM sec. 32: portions of Lot 1, N2N2, NESW 33: portions of NENE, S2NE, E2NW, S2
03-04-33	T 144 N, R 101 W, 5 th PM sec. 1: Portions of Lots 1-4, S2N2, E2SW, SE 14: Portions of W2NE, NW, N2SW, SWSW, W2SE, SESE
03-04-36	T 144 N, R 101 W, 5 th PM sec. 12: Portions of N2SE, .SWSE
03-04-37	T 144 N, R 101 W, 5 th PM sec. 13: Portions of S2NE, NW, SWSW, NESE, S2SE
03-04-38	T. 144 N, R 101 W, 5 th PM sec.18: Portions of Lot 4 30: Portions of Lot 2
03-04-39	T 144 N, R 101 W, 5 th PM sec. 22: Portions of W2SE 27: Portions of E2 30: Portions of Lot 1, NE, NESW, NWSE
03-04-40	T 144 N, R 101 W, 5 th PM sec. 23: Portions of NWNW, SENW
03-40-41	T 146 N, R 101 W, 5 th PM sec. 4: Portions of Lots 1, 2 SENE, NESE

PARCEL NO.**LAND DESCRIPTIONS**

03-04-42	T 146 N, R 101 W, 5 th PM sec. 6: Portions of Lots 5, 6, SENE, NESE 7: Portions of Lots 1, 2, 3, 4, E2, E2W2
03-04-43	T 139 N, R 102 W, 5 th PM sec. 4: Portions of Lots 2, 3, 4, 8, 9, SWSW
03-04-45	T 149 N, R 103 W, 5 th PM sec. 2: Portions of SWSE 11: Portions of NWNW
03-04-46	T 149 N, R 103 W, 5 th PM sec. 10: Portions of SESW
03-04-47	T 149 N, R 103 W, 5 th PM sec. 17: Portions of E2NE, S2NW

For the purpose of:

Surface occupancy and use is prohibited on slopes greater than 40 percent to protect soil resources from loss of productivity, prevent erosion on steep slopes, soil mass movement, and resultant sedimentation. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Soils, number 6, and Appendix D-3.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

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NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description)

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-19	T 149 N, R. 96 W, 5 th PM sec. 19: Portions of lot 4, SESW, SWSE 30: Lot 1, SWNE, NENW; portions of N2NE, SENE
03-04-26	T 149 N, R 96 W, 5 th PM sec. 29: Portions of SWSW 30: Lots 2, 3, SENW, E2SW, SE; portion of Lot 4 31: Portions of N2NE, NENW
03-04-33	T 144 N, R 101 W, 5 th PM sec. 1: Portions of E2SE
03-04-35	T 144 N, R 101 W, 5 th PM sec. 4: Portions of S2SE
03-04-38	T 144 N, R 101 W, 5 TH PM sec. 30: Portions of Lot 2
03-04-39	T 144 N, R 101 W, 5 th PM sec. 30: NESW; portions of NWSE
03-04-41	T 146 N, R 101 W, 5 th PM sec. 4: SENE, NESE; portions of lots 1, 2
03-40-46	T 149 N, R 103 W, 5 th PM sec. 3: S2SW; portions of N2SW, SWSE 10: N2NW, SWNW; portions of W2NE, SENW, N2SW
03-04-48	T 149 N, R 103 W, 5 th PM sec. 35: NESW, SWSW, W2SE; portions of SWNE, S2NW, NWSW, E2SE

PARCEL NO.

03-04-49

LAND DESCRIPTIONS

T 149 N, R 103 W, 5th PM
sec. 35: SESW

For the purpose of:

No surface occupancy or use is allowed within 0.5 mile (line of sight) of golden eagle, merlin, and ferruginous hawk nests; to prevent reduced reproductive success and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 55, and Appendix D-11.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description)

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-19	T.149 N, R. 96 W, 5 th PM sec. 21: SENE, SESW, SE, Portions of N2NE, SWNE NESW, SWSW 30: Portions of E2NE
03-04-20	T 149 N, R 96 W, 5 th PM sec. 21: Portions of NWSW 22: W2SW 27: N2NE 28: NWNE, S2NE, NW, N2SE, SESE
03-04-21	T 149 N, R 96 W, 5 th PM sec. 22: W2NE, NW, E2SW, SE 26: SW 27: NW 34: SENE, NESE 35: W2NW
03-04-22	T 149 N, R 96 W, 5 th PM sec. 23: E2, S2NW 24: E2NE, S2NW, W2SW, N2SE
03-04-23	T 149 N, R 96 W, 5 th PM sec. 23: SW 29: Portions of NWNW
03-04-24	T 149 N, R 96 W, 5 th PM sec. 26: N2 34: SWNE, S2NW, SW, W2SE, SESE 35: E2, E2NW, SW
03-04-25	T 149 N, R 96 W, 5 th PM sec. 27: S2NE, N2S2
03-04-26	T. 149 N, R. 96 W, 5 th PM sec. 29: NE, SWSW 30: Portions of E2SE

PARCEL NO.

LAND DESCRIPTIONS

03-04-28

T 149 N, R 96 W, 5th PM
sec. 32: N2NE, NENW, NESW;
portions of Lot 1, NWNW
33: NENE, S2NE, E2NW, S2

03-04-43

T 139 N, R 102 W, 5th PM
sec. 4: Lots, 2, 8, 9;
Portions of SENW, E2SW

For the purpose of:

No surface occupancy or use is allowed within bighorn sheep habitat MA 3.51, to achieve optimum habitat suitability for bighorn sheep. Refer to the Land and Resource Management Plan, Management Area Direction, MA 3.51 Bighorn Sheep Habitat, Standards and Guidelines, Minerals and Energy Resources number 1, and Appendix D-23.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description)

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-19	T.149 N, R. 96 W, 5 th PM sec. 21: E2NE; Portions of W2NE, N2SE, SESE
03-04-20	T 149 N, R 96 W, 5th PM sec. 22: W2SW 27: N2NE
03-04-21	T 149 N, R 96 W, 5 th PM sec. 22: W2NE, NW, E2SW, SE 26: SW 27: NW
03-04-22	T 149 N, R 96 W, 5 th PM sec. 23: E2, S2NW 24: S2NW, W2SW, NWSE; portions of NESE
03-04-23	T 149 N, R 96 W, 5 th PM sec. 23: SW
03-04-24	T 149 N, R 96 W, 5 th PM sec. 26: N2

For the purpose of:

No surface occupancy or use is allowed within the established boundaries of Bear Den-Bur Oak, Cottonwood Creek Badlands, Little Missouri River, Mike's Creek, Ponderosa Pines, Limber Pine, and Two Top/Big Top Research Natural Areas; to maintain natural conditions for research purposes and protect against activities, which directly or indirectly modify the natural occurring ecological processes within the RNA. Refer to the Land and Resource Management Plan, Management Area Direction, MA 2.2, Research Natural Areas, Standards and Guidelines, Minerals and Energy Resources number 2, and Appendix D-21.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-23	T 149 N, R 96 W, 5 th PM sec. 29: Portions of NWNW
03-04-26	T 149 N, R 96 W, 5 th PM sec. 29: Portions of NWNE 30: Portions of S2SE 31: NENE, portions of W2NE, SENE
03-04-27	T 149 N, R 96 W, 5 th PM sec. 31: Lot 5; portions of Lots 3, 4, NESW
03-04-28	T 149 N, R 96 W, 5 th PM sec. 32: Portions of NWNW
03-04-35	T 144 N, R 101 W, 5 th PM sec. 4: Portions of S2SE
03-04-42	T 146 N, R 101 W, 5 th PM sec. 6: Portions of NESE
03-04-45	T. 149 N, R 103 W, 5 th PM sec. 1: Lot 4 2: Lot 1
03-04-48	T 149 N, R 103 W, 5 th PM sec. 25: Portions of W2SW 35: Portions of SWNE, SENW, NESW, W2SE
03-04-49	T 149 N, R 103 W, 5 th PM sec. 35: Portions of SESW

For the purpose of:

No surface occupancy or use is allowed within 0.25 mile (line of sight) of a sharp-tailed grouse and sage grouse display ground to prevent abandonment of display grounds, reduced reproductive success, and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 13, and Appendix D-14.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-27	T 149 N, R 96 W, 5 th PM sec. 31: Lots 3, 4, 5; portions of NESW
03-04-28	T 149 N, R 96 W, 5 th PM sec. 31: Lots 8-11 32: Portions of Lot 1, NESW
03-04-42	T 146 N, R 101 W, 5 th PM sec. 7: Portions of Lots 2,3,4
03-04-43	T 139 N, R 102 W, 5 th PM sec. 4: Lot 8; portions of Lots 2, 9, SENW, E2SW
03-04-44	T 139 N, R 102 W, 5 th PM sec. 16: The bed of the river ripar to lots 1-4

For the purpose of:

No surface occupancy or use is allowed within $\frac{1}{4}$ mile each side of the Little Missouri River, to maintain the recreation opportunities and settings within the river corridor. Refer to the Land and Resource Management Plan, Management Area Direction MA 4.22, River and Travel Corridors, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D-25.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-33	T 144 N, R 101 W, 5 th PM sec. 1: Lots 1-4, S2N2, S2 12: S2NW 14: N2, N2S2, SESW, S2SE; portions of SWSW
03-04-34	T 144 N, R. 101 W, 5 th PM sec. 4: Lot 4, SWNW
03-04-36	T 144 N, R 101 W, 5 th PM sec. 12: N2S2, SWSE
03-04-37	T 144 N, R 101 W, 5 th PM sec. 13: All
03-04-40	T 144 N, R 101 W, 5 th PM sec. 23: Portions of N2NW, SENW

For the purpose of:

No surface occupancy or use is allowed within boundaries of backcountry non-motorized management areas to retain recreation opportunities in a natural-appearing landscape. Refer to the Land and Resource Management Plan, Management Area Direction MA 1.31 Backcountry Recreation Non-motorized, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D17.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

PARCEL NO.

LAND DESCRIPTIONS

03-04-33

T 144 N, R 101 W, 5th PM
sec. 1: SESE

For the purpose of:

No surface occupancy or use is allowed within the boundaries of White Buttes, Burning Coal Vein/Columnar Juniper, and Ice Caves Special Interest Areas (SIAs) to protect geologic and biostratigraphic type sections, and immediate environment of the site, including inherent scientific, natural historic, interpretive, educational, and recreational values for the area potentially impacted. Refer to the Land and Resource Management Plan, Management Area Direction MA 2.1, Special Interest Areas, Standards and Guidelines, Minerals and Energy Resources, number 1, and Appendix D-20.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-NSO-14

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-45	T 149 N, R 103 W, 5 th PM sec. 12: SWNE; portions of NWNE, SENE, SENW, NESW, NWSE
03-04-46	T 149 N, R 103 W, 5 th PM sec. 10: SWNW; portions of N2NW, SENW, NWSW

For the purpose of:

No surface occupancy or use is allowed within 0.25 mile (line of sight) of prairie falcon and burrowing owl nests to prevent reduced reproductive success, and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 55 and Appendix D-13.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-48	T 149 N, R 103 W, 5 th PM sec. 35: W2NW, SENW, N2SW, SWSW; portions of W2NE, NENW, W2SE, SESE
03-04-49	T 149 N, R 103 W, 5 th PM sec. 35: SESW

For the purpose of:

No surface occupancy or use is allowed within the roadless portion of black-footed ferret reintroduction habitat MA 3.63. To maintain those characteristics, which retain eligibility for roadless consideration and maintain the undeveloped character of the land. Refer to Land and Resource Management Plan, Management Area Direction MA 3.63, Black-footed Ferret Reintroduction Habitat, Standards and Guidelines, Minerals and Energy Resources, number 12, and Appendix D-24.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING LIMITATION STIPULATION

No surface use is allowed during the following period(s). This stipulation does not apply to operation and maintenance of production facilities.

November 30 through June 15 (winter range)

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-14	T 9 S, R. 20 E, PMM sec. 32: E2; Portions of E2W2 33: All 34: W2; Portions of W2E2

For the purpose of:

To protect the elk herds during the winter/spring season of use and facilitate long-term maintenance of the population. To prevent stress to elk during periods when forage is at a minimum, metabolism rates are high, and cows are carrying developing young. To prevent stress to cows and newborn calves on calving areas. (Custer Forest Plan Amendment 20; Beartooth Mountains Oil and Gas Leasing EIS, Appendix E - p. 17).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling, testing, new construction projects, and does not apply to operation and maintenance of production facilities.

March 1 - June 15

Within 1 mile (line of sight) of active sharp-tailed grouse display grounds.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-19	T 149 N, R 96 W, 5 th PM sec. 19: E2E2; portions of Lots 1-4, W2E2, E2W2 20: NW, W2NE; portions of E2NE 21: SWSW; portions of W2NW, E2SW 30: NE; portions of NENW 31: Lots 6, 7
03-04-20	T 149 N, R 96 W, 5 th PM sec. 21: portions of NWSW 28: NWNW; portions of NENW, SWNW
03-04-23	T 149 N, R 96 W, 5 th PM sec. 29: Portions of NWNW
03-04-26	T 149 N, R 96 W, 5 th PM sec. 29: NE, SWSW 30: Lots 3, 4, SENW, E2SW, N2SE; portions of Lot 2, S2SE 31: Lot 1, NENW; portions of Lot 2, NWNE, S2NE, SEnw
03-04-27	T 149 N, R 96 W, 5 th PM sec. 31: Lots 4, 5; portions of Lot 3, NESW

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-28	T 149 N, R 96 W, 5 th PM sec. 31: Lots 8-11 32: NWNE, NENW, NESW; portions of Lot 1, NENE, NWNW
03-04-33	T 144 N, R 101 W 5 th PM sec. 1: Portion of SESE
03-04-36	T 144 N, R 101 W 5 th PM sec. 12: NESE; portions of W2SE
03-04-37	T 144 N, R 101 W 5 th PM sec. 13: Portions of N2NE, SENE
03-04-42	T 146 N, R 101 W, 5 th PM sec. 6: Lots 5, 6, SENE, NESE 7: Lot 1, NE, E2NW; portions of Lots 2, 3, NESW, N2SE
03-04-45	T 149 N, R 103 W, 5 th PM sec. 1: Lots 3, 4, S2NW, NWSW; portions of NESW 2: Lots 1, 2, S2NE, NESE; portions of NESW, NWSE, SESE
03-04-46	T 149 N, R 103 W, 5 th PM sec. 3: SWSW; portions of Lot 3, 4, SWNW, NWSW 10: NWNW; portions of SWNW, NWSW
03-04-48	T 149 N, R 103 W, 5 th PM sec. 25: NW, E2SW, SE; portions of W2SW 35: N2, W2SW, E2SE; portions of NESW, W2SE
03-04-49	T 149 N, R 103 W, 5 th PM sec. 35: Portions of SESW

For the purpose of:

To prevent abandonment of display grounds and reduced reproductive success. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 15 and Appendix D-5.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s).

October 16 - June 14

This stipulation applies to drilling and testing of wells and new construction projects, and does not apply to operation and maintenance of production facilities. Limit on-lease activities (operation and maintenance of facilities) to the period from 10 am to 4 pm except in emergency situations

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-38	T 144 N, R 101 W, 5 th PM sec. 18: Lot 4 30: Portions of Lot 2
03-04-39	T 144 N, R 101 W, 5 TH PM sec. 30: Portions of Lot 1, NE, NENW, NESW, NWSE
03-04-41	T 146 N, R 101 W 5 th PM sec. 4: Portions of Lots 1, 2, SENE, NESE
03-04-42	T 146 N, R 101 W, 5 th PM sec. 6: Lots 5, 6, SENE, NESE 7: Lot 1, NE, E2W2, N2SE, SWSE; portions of Lots 2, 3, 4, SESE

For the purpose of:

To provide quality forage, cover, escape terrain and solitude for bighorn sheep. Refer to the Land and Resource Management Plan MA 3.51B, Bighorn Sheep Habitat with nonfederal ownership, Standards and Guidelines, Minerals and Energy Resources, number 1 and Appendix D-22 and Addendum, p. 51.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling and testing and new construction projects, and does not apply to operation or maintenance of production facilities.

April 1 through June 15

Within 1 mile (line of sight) of lambing areas.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-43	T 139 N, R 102 W, 5 th PM sec. 4: Lots 8, 9, S2SW; portions of N2SW

For the purpose of:

To safeguard lamb survival and prevent bighorn sheep displacement from lambing area. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 12 and Appendix D-7.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling and testing and new construction projects, and does not apply to operation or maintenance of production facilities.

March 1- August 31

Within 0.125 mile (line of sight) of prairie dog colonies occupied or thought to be occupied by black-footed ferrets.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-45	T 149 N, R 103 W, 5 th PM sec. 1: Lots 3, 4, S2NW, SW, SWSE 2: Lots 1, 2, S2NE, S2 11: All 12: N2, SW, W2SE
03-04-46	T 149 N, R 103 W, 5 th PM sec. 3: Lots 1-4, S2N2, S2 10: All
03-04-47	T 149 N, R 103 W, 5 th PM sec. 17: E2NE, S2NW
03-04-48	T 149 N, R 103 W, 5 th PM sec. 25: NW, S2 35: N2, N2SW, SWSW, SE
03-04-49	T 149 N, R 103 W, 5 th PM sec. 35: SESW

For the purpose of:

To protect ferrets when breeding and rearing young. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 23 and Appendix D-7.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

LEASE NOTICE

Roadless Area Conservation Rule

Lands contained in this lease are located in an inventoried roadless area subject to the rule entitled "Special Areas; Roadless Area Conservation Rule; Final Rule" published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Roadless Area Conservation Rule or subsequent modifications thereof.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
03-04-33	T 144 N, R 101 W, 5 th PM sec. 1: Lots 1-4, S2N2, S2 12: S2NW 14: N2, N2S2, SESW, S2SE; portions of SWSW
03-04-34	T 144 N, R 101 W, 5 th PM sec. 4: Lot 4, SWNW
03-04-40	T 144 N, R 101 W, 5 th PM sec. 23: Portions of N2NW, SENW
03-04-45	T 149 N, R 103 W, 5 th PM sec. 1: Lots 3,4, S2NW, SW, SWSE 2: Lots 1, 2, S2NE, S2 11: All 12: N2, SW, W2SE
03-04-46	T 149 N, R 103 W, 5 th PM sec. 3: Lots 1-4, S2N2, S2 10: All
03-04-48	T 149 N, R 103 W, 5 th PM sec. 25: NW, S2 35: N2, N2SW, SWSW, SE
03-04-49	T 149 N, R 103 W, 5 th PM sec. 35: SESW

US Forest Service

R1-FS-2820-22b-Roadless

LEASE NOTICE

Roadless Area Conservation Rule

Lands contained in this lease are located in an inventoried roadless area subject to the rule entitled "Special Areas; Roadless Area Conservation Rule; Final Rule" published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Roadless Area Conservation Rule or subsequent modifications thereof.

Specific exemptions are made at 36 CFR 294.12 for lands that were leased as of January 12, 2001. Land in this lease were previously leased as described below.

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>	<u>PREVIOUS LEASE</u>	<u>EXPIRATION DATE</u>
03-04-36	T 144 N, R 101 W, 5 th PM sec. 12: N2S2, SWSE	NDM 82807	5/31/2003
03-04-37	T 144 N, R 101 W, 5 th PM sec. 13: All	NDM 81805	12/3/2002
03-04-47	T 149 N, R 103 W, 5 th PM sec. 17: E2NE, S2NW	NDM 81415	8/31/2002